JUUS REC' DPCT/PTO 27 MAY 2004

FORM PTO-1390

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(REV. 2-2005)

TRANSMITTAL [bmm1]LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A [bmm2]SUBMISSION UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.

PCT/EP2003/013152

international filing date 22 November 2003

ATTORNEY'S DOCKET NUMBER P/2107-277

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/536861

PRIORITY DATE CLAIMED

19 November 2002

TITLE OF INVENTION

METHOD AND DEVICE FOR OPTICAL FORM MEASUREMENT AND/OR ESTIMATION

Christoph WAGNER et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. [X] This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- 2. [] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- 3. [X] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- 4. [X] The US has been elected (Article 31).
- 5. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. [X] is attached hereto (required only if not communicated by the International Bureau).
 - b. [] has been communicated by the International Bureau.
 - c. [] is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. [X] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. [X] is attached hereto.
 - b. [] has been previously submitted under 35 U.S.C. 154(d)(4).
- 7. [] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. [] are attached hereto (required only if not communicated by the International Bureau).
 - o. [] have been communicated by the International Bureau.
 - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
 - d. [] have not been made and will not be made.
- 3. [] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. [X] An (Unexecuted) oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- 10. [X] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern other document(s) or information included:

- 11. [] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- 12. [] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 13. [X] A preliminary amendment.
- 14. [] An Application Data Sheet under 37 CFR 1.76
- 15. [] A substitute specification.
- 16. [] A power of attorney and/or change of address letter.
- 17. [] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- 18. [] A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- 19. [] A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
- 20. [X] Other items or information (specify): 3 sheets of drawings; EFS form; postcard; Copy of 1st page of publication; English translation of IPER, English translation of IPER annexes; PTO 1449 with 10 references;

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EV343724588US) in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 1450, on May 27, 2005:

Dorothy Jenkins

Name of Person Mailing Correspondence

Signature

May 27, 2005

Date of Signature

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U.S. APIGICOLON D (1700m, 837 C.F. 1.5)			INTERNATIONAL APPLICATION NO. PCT/EP2003/013152			ATTORNEY'S DOCKET NUMBER P/2107-277		
**				•		CALCULATIONS	PTO USE ONLY	
The following fees have been submitted 21. [X] Basic national fee\$300						\$300.00		
22. [X] Examination fee						\$200.00		
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)								
All other situations\$200						4400.00		
23. [X] Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Report prepared and provided to the Office\$400 All other situations\$500						\$400.00		
TOTAL OF 21, 22 and 23 =						\$900.00		
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						\$		
Total Sheets	Total Sheets Extra sheets		Number of each additional 50 or fraction thereof (round up to a whole number)					
- 100 =					x \$250	\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).						\$		
CLAIMS	NUM	BER FILED	NUMBER EXTRA	RATE		\$		
Total Claim	s 1	8 - 20 =	0	,	x \$ 50	\$ 000.00		
Independent Cl	aims 2	2 - 3 =	0	х	\$200	\$ 000.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360						\$		
TOTAL OF ABOVE CALCULATIONS =						\$ 900.00		
[] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.						\$		
SUBTOTAL =						\$ 900.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).						\$		
TOTAL NATIONAL FEE =						\$ 900.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +						\$ 00.00		
			TOTAL FEI	ES EN	CLOSED =	\$ 900.00		
						Amount to be refunded:	\$	
						Amount to be charged:	\$	
b. [] Please char A duplicate c. [X] The Commoverpayme NOTE: Where an appropriate the Interestory of the In	rge my Deposit Accorded copy of this sheet is nissioner is hereby aut to Deposit Accourd ropriate time limit under ternational Application to	unt No. 15-0700 enclosed. thorized to char at No. 15-0700. 37 CFR 1.495 has pending status.	nt \$900.00 to cover the one of the amount of \$ rge any additional fees A duplicate copy of the not been met, a petition to	to c which r is shee	over the above to the same of	fees.	and granted to	
SEND ALL CORRESPONDENCE TO: Robert C. F. Ostrolenk, Faber, Gerb & Soffen, LLP			Robert C. Faber					
New York, New York 10036-8402			Registrat	Registration Number: 24,322 May 27, 2005 Telephone: (212) 382-0700				